

2004 REGULAR SESSION INFORMATION BULLETIN

Issued by House Legislative Services
Prepared August, 2003

(NOTE: 2005 Regular Session convenes on April 25, 2005, and adjourns not later than June 23, 2005)

(1) Subject Matter (Const. Art. III, §2(A)(3)(b))	General in nature; however, no measure levying or authorizing a new tax, increasing an existing tax, or legislating with regard to tax exemptions, exclusions, deductions, or credits shall be introduced or enacted.
(2) Convening and Final Adjournment (Const. Art. III, §2(A)(3)(a))	Convenes Noon, Monday, March 29, 2004; adjourns not later than 6:00 p.m. on Monday June 21, 2004
(3) Length of Session (Const. Art. III, §2(A)(3)(a))	60 legislative days during an 85 calendar-day period
(4) Constitutional Amendments (Const. Art. XIII, §1(A))	Must be PREFILED not later than Noon Friday, March 19
(5) Bills (Const. Art. III, §2(A)(2))	Must be PREFILED not later than 5:00 p.m. , Friday, March 19. A member may introduce no more than five additional bills not later than 6:00 p.m. , Tuesday, April 20.
(6) Advertisement of local and retirement bills (Const. Art. III, §13 and Art. X, §29(C))	Publication on two separate days at least 30 days prior to introduction. See Note 3 on reverse side.
(7) Compensation notices Sheriffs (R.S. 33:1421(E)) School Board members (R.S. 17:56(D)) Registrar of Voters and confidential assistants (R.S. 18:55(B) and 59(D))	Publication on two separate days at least 30 days prior to introduction. See Note 3 on reverse side.
(8) (a) Assessor's salary or other emolument notice (R.S. 47:1907.1) (b) Assessor's expense allowance notice (R.S. 47:1908(D))	Publication on two separate days at least 30 days prior to introduction. See Note 3 on reverse side. Last day to mail notice to school board and governing authority of each affected parish - March 18 See Note 3 on reverse side
(9) Deadline for 3rd Reading/Final Passage (Const. Art. III, §2(A)(3)(a))	6:00 p.m. of the 57th legislative day or the 82nd calendar day, whichever occurs first. (Thereafter, if authorized by 2/3 vote of both houses.)
(10) Effective date of Acts (a) Statutes (Const. Art. III, §19) (b) Constitutional Amendments (Const. Art. XIII, §1(C))	August 15, 2004, unless bill otherwise specifically provides. 20 days after governor's proclamation of the election results by which adopted, unless amendment otherwise specifically provides.

CONSTITUTIONAL OR STATUTORY REQUIREMENTS WITH RESPECT TO DATES AND LEGISLATIVE INSTRUMENTS

1. **CONSTITUTIONAL AMENDMENTS:** Must be PREFILED at least 10 days before session begins. House computes in 24-hour segments and therefore will accept until 12:00 noon on Friday, March 19 (Const. Art. XIII, §1(A)).
2. **DEADLINES FOR PREFILING AND INTRODUCTION OF BILLS:**

(a) Bills must be prefiled not later than 5:00 p.m., Friday, March 19 (Const. Art. III, §2(A)(2)).

(b) A member may introduce no more than five bills which were not prefiled. They must be introduced not later than 6:00 p.m., Tuesday, April 20 (Const. Art. III, §2(A)(3)(a)). Late introductions are not permitted. Joint Rule No. 18 provides that the following bills are not subject to the five-bill limit: general appropriation bill, judicial branch appropriation, legislative branch appropriation, capital outlay bill, omnibus bond authorization bill, supplemental appropriations bill, revenue sharing bill, and ancillary funds bill.
3. **NOTICE OF INTENTION TO INTRODUCE CERTAIN KINDS OF BILLS:**

- (a) **LOCAL BILLS:** Notice MUST be published on TWO separate days AT LEAST 30 DAYS BEFORE INTRODUCTION, without cost to the state, in the official journal of the locality. The publication need not be on consecutive days, but must be on two separate days. Last two days to advertise in 2004 are February 26 and February 27 for introduction on first day of session. (If NOT prefiled, last dates are March 19 and 20.) Newspaper publication days, weekly journals, and other newspaper deadlines may require earlier submission to paper. Notice must state substance of the bill and bill MUST recite that notice was published. If so instructed by author, staff will send notice to newspaper and obtain certification of publication for attachment to the bill. The newspaper will bill costs of publication directly to the author or person specified by author. If advertisement is handled locally, author should obtain certification from newspaper and transmit to Clerk or staff.
- (b) **RETIREMENT BILLS:** Handled in same manner as local bills (see (a)), except notice must be published in official state journal (*Baton Rouge Advocate*). Due to publication days of *Advocate*, notice must be submitted to paper by Friday, February 20 (Monday, March 15, if NOT prefiled). The author or person the author specifies will be charged directly by the *Advocate* for the cost of publication. If bill affects only a city or other strictly local retirement system, LOCAL NOTICE also is necessary, as set forth in (a) above.
- (c) **ASSESSORS' EXPENSE ALLOWANCES:** R.S. 47:1908(D) prohibits change in the allowance unless notice of intent to do so is sent BY CERTIFIED MAIL BY THE ASSESSOR TO THE SCHOOL BOARD AND PARISH GOVERNING AUTHORITY AFFECTED, stating the amount of the change. Notice must be sent at least 10 days prior to the CONVENING of the legislative session. Evidence of notice must be exhibited to the legislature before passage of the bill. Bill must recite that notice was given. Last day to give notice in 2004 is Thursday, March 18. Author should obtain evidence of notice from assessor.
- (d) **ASSESSORS' COMPENSATION (R.S. 47:1907.1) SHERIFFS' COMPENSATION, (R.S. 33:1421(E)), SCHOOL BOARD MEMBERS' COMPENSATION (R.S. 17:56(D)), AND PARISH PORTION OF REGISTRARS' OF VOTERS COMPENSATION (R.S. 18:55(B) AND 59(D)):** The Sections cited prohibit introduction of a bill to change the compensation of an assessor, sheriff, and school board member, and the parish portion of the salary of a registrar of voters or a chief deputy registrar or a confidential assistant to a registrar unless notice has been published on two separate days at least 30 days before introduction, without cost to the state, in the official journal of the parish. If all assessors, sheriffs, or school board members (but not registrars of voters or their chief deputies or assistants) in the state are affected, then notice must **also** be published on two separate days at least 30 days before introduction without cost to the state in the official state journal (*Baton Rouge Advocate*). The notice (except registrars and their chief deputies or assistants) must state the amount of the change. The bill (except registrars, their chief deputies, or assistants) must recite that notice has been given, and certification of such publication must be attached to the bill. If advertisement is handled locally, author should obtain certification and transmit to Clerk or staff. If the author wishes, staff will send notice to newspaper and obtain certification of publication for attachment to the bill. The newspaper will bill costs of publication directly to the author or person author specifies.

4. **PREFILING OF BILLS AND RESOLUTIONS:**

- (a) Bills, joint resolutions (constitutional amendments), and simple or concurrent resolutions may be prefiled with the Clerk of the House at any time between regular sessions for introduction at either of the next two sessions. (No bills may be prefiled for the regular session after a general election for legislators until after promulgation of the election returns and no bills may be prefiled for any session between the convening of the last regular session prior to the general election for legislators and promulgation of the election returns.) House research staff will transmit legislative instruments to the Clerk of the House for prefilings upon direction of the author. House rules no longer require that such direction be in writing. The Clerk numbers them in order in which received and reproduces them for distribution to members, news media, and others. The Speaker refers each prefiled instrument to committee and notifies author. Referrals of bills prefiled prior to one week before the session convenes are entered in the Interim Calendar. Within five days after publication of referral in Interim Calendar, any member may notify the Speaker IN WRITING of his objection to the committee referral, stating reasons. House and Governmental Affairs Committee then determines the committee to which the bill will be referred. Standing committees may hold pre-session hearings on prefiled instruments. (House Rule 7.2)
 - (b) Interim Calendars are mailed to members by respective houses under their rules. Prefiled bills are mailed to members upon request. (House Rule 12.7 and Senate Rule 14.7)
5. **FISCAL NOTES:** Every bill, joint resolution, and simple or concurrent resolution affecting the receipt, expenditure, or allocation of funds of the state or of a political subdivision, or which would authorize issuance of general obligation bonds or other general obligations of the state for capital outlay, must have attached to it, prior to committee consideration, a fiscal note giving a reliable estimate of the fiscal effect of the measure. House rules also require fiscal notes for consideration of such instruments on final passage. The author of a bill is responsible for obtaining fiscal note from legislative fiscal officer. Staff will request fiscal note on behalf of author upon request. When author receives bill draft from staff with memo that bill may require fiscal note, author returns form instructing Clerk to request or not to request fiscal note. Instructions received within seven days will be followed until prefilings or introduction. If no response is made within seven days, Clerk will order a fiscal note if he decides one is required. In addition, the chairman of the committee to which the measure is referred may request a fiscal note immediately upon referral of the measure, and the Clerk of the House may request a fiscal note upon prefilings or introduction of the measure. A measure requiring a fiscal note which is reported by a House committee without a fiscal note must be returned to the calendar and the Clerk must request a fiscal note. The Clerk determines the need for a fiscal note, upon recommendation of House Legislative Services staff. (Joint Rule 4 and House Rule 7.16)
 6. **ACTUARIAL NOTES:** Every bill, joint resolution, and simple or concurrent resolution proposing a change in the law as to any state, municipal, or parochial retirement system funded in whole or part from public funds must have an actuarial note attached to it at the time of committee consideration. Legislative Actuary prepares actuarial notes (R.S. 24:521). The staff will request actuarial note on behalf of author. Procedure is similar to fiscal notes.
 7. **APPROPRIATIONS TO PAY JUDGMENTS AGAINST STATE:** Appropriations Committee requires a certified copy of final judgment and proof of finality of judgment before any committee action on any such bill.